

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6720 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

RANA GOPALBHAI GOVINDBHAI

Versus

PRANT OFFICER BARODA

Appearance:

MR NK MAJMUDAR FOR MR KC SHAH for Petitioner

MR SK PATEL for Respondent No. 1

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 08/09/1999

ORAL JUDGEMENT

#. Heard the learned counsel for the petitioner and perused the order of the State Government, annexure-D at page 12 of the Special Civil Application dated 8.9.85.

#. I do not find any illegality in the order of the State Government which calls for interference of this Court sitting under Article 226 and 227 of the

Constitution of India. The petitioner has no right for allotment of land. In case the Sub Divisional Magistrate declined to allot land to the petitioner on the ground that it vests in Channi Nagar Panchayat and that Nagar Panchayat is not agreeable to sell this land it has not committed any error. The petitioner has no right to get a writ of Mandamus from this Court to compel the respondents to allot the land to him.

#. The learned counsel for the petitioner admits that the petitioner has not legal right. However, he relied upon Resolution of the Government dated 1st May 1963, under which it is alleged that some scheme has been given out for allotment of land to poor persons or the persons belonging to backward class. However, a copy of this Resolution has not been produced on the record of this Special Civil Application. If there is some scheme for allotment of land at concessional rate or free of costs to the poor persons or persons belonging to backward class, then it is always open to the petitioner to remind of this Resolution to the competent authority, but this Court cannot give any relief to the petitioner in this Special Civil Application.

#. In the result, this Special Civil Application fails and the same is dismissed. Rule discharged. Interim relief, if any granted by this Court stands vacated. No order as to costs.

(S.K.Keshote, J.)

[sunil]